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CITY OF GRIDLEY and ANTHONY LARA

Exempt from filing fee pursuant to Government Code section 6103

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

MARCO ANTHONY GARCIA – PADILLA,
an individual

CASE NO: **2:21-cv-00206-TLN-DMC**

Plaintiff,

**STIPULATION AND ORDER TO FURTHER
MODIFY PRE-TRIAL SCHEDULING ORDER**

vs.

CITY OF GRIDLEY, a legal
Subdivision of the State of California;
ANTHONY LARA, an individual; and
DOES 1 through 10, inclusive,

Defendants.

/ Complaint Filed: 02/03/2021

In accordance with Local Rule 144 and Federal Rule 6, Plaintiff MARCO ANTHONY GARCIA – PADILLA (“Plaintiff”) and Defendants CITY OF GRIDLEY and ANTHONY LARA (collectively “Defendants”), by and through their respective undersigned counsel, respectfully request that this Court enter an Order extending future deadlines in the Modified Pretrial Scheduling Order (the “Scheduling Order”) and the Order modifying the Scheduling Order (ECF 4; ECF 10). In support of the instant stipulated request, the parties state as follows:

1. WHEREAS, the Court’s February 3, 2021 Initial Pretrial Scheduling Order (ECF 4) set a date of January 21, 2022 for the disclosure of expert discovery;
2. WHEREAS, the parties have engaged in settlement discussions;

3. WHEREAS, the parties requested, and the Court entered, an Order (ECF 10) extending the deadline to disclose expert witnesses to February 18, 2022 and the deadline to disclose supplemental / rebuttal expert witnesses to March 22, 2022;
4. WHEREAS, the parties have scheduled a Settlement Conference with Magistrate Judge Grosjean on March 7, 2022 (ECF 12);
5. WHEREAS, the parties stipulate it would be most efficient and productive to continue the deadlines to disclose expert witnesses, conduct expert discovery, and file any dispositive motion(s) so the parties do not potentially unnecessarily incur the cost and fees of such activities prior to engaging in a Settlement Conference; and
6. WHEREAS, the requested extensions will not unduly delay this case or prejudice any party, nor is it made for any improper purpose. Rather, the request is made jointly by the parties and in a timely manner. For this additional reason, good cause exists to grant the requested modification to the schedule. *See Ahanchian v. Xenon Pictures, Inc.*, 624 F.3d 1253, 1259 (9th Cir. 2010) (“requests for extensions of time made before the applicable deadline has passed should ‘normally . . . be granted in the absence of bad faith on the part of the party seeking relief or prejudice to the adverse party.’”)

NOW, THEREFORE, IT IS HEREBY STIPULATED by and between the parties, by and through their respective counsel of record, that:

1. The deadline to disclose expert witnesses shall be April 22, 2022;
2. The deadline to disclose rebuttal/supplemental expert witnesses shall be May 23, 2022; and
3. The deadline to file and serve pre-trial and or dispositive motions shall be July 22, 2022.

Date: January 27, 2022

GUIZAR, HENDERSON & CARRAZCO, LLP

By /s/ Christian Contreras
Christian Contreras
Attorneys for Plaintiff

1 Date: January 27, 2022

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4 By /s/ William E. Camy
William E. Camy
Attorneys for Defendants

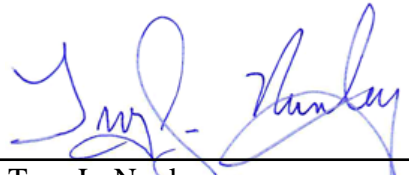
8 **ORDER**

9 Upon review of the Joint Stipulation to Modify the Pre-Trial Scheduling Order and finding Good
10 Cause therefore, the Court hereby orders that the Initial Pre-Trial Scheduling Order dated February 3,
11 2021 (ECF 4) and the modification to that Order (ECF 10) be further modified as follows:

- 12 1. The deadline to disclose expert witnesses shall be April 22, 2022;
13 2. The deadline to disclose rebuttal/supplemental expert witnesses shall be May 23, 2022; and
14 3. The deadline to file and serve pre-trial and or dispositive motions shall be July 22, 2022.

15 **IT IS SO ORDERED.**

16 DATED: January 27, 2022

17 
18 Troy L. Nunley
United States District Judge